

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

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CLERK

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THOMAS KIBBIE,

Plaintiff,

v.

KILLINGTON/PICO SKI RESORT
PARTNERS, LLC, and MEMIC
SERVICES INC.,

Defendants.

Case No. 5:16-cv-247

**SCHEDULING ORDER
AND ORDER ON MOTION TO AMEND AMENDED COMPLAINT
(Doc. 54)**

The court has now issued its ruling on defendant MEMIC's motion for summary judgment. (Doc. 55.) The court has granted partial summary judgment, resolving claims of bad faith concerning the denial of workers compensation claims for neck injury as well as the claims of intentional infliction of emotional distress and civil conspiracy.

What remains are certain claims of insurance bad faith and parallel claims concerning the same conduct pled as breach of the duty of good faith and fair dealing. The court requires that Plaintiff submit a short, clear statement of each action by MEMIC which Plaintiff claims violated this standard. This statement should include the date, the action taken by the insurer, and the MEMIC employee who took the action. The statement shall be submitted within 30 days.

Defendant shall submit any response within 15 days. The court will then schedule a conference to discuss these specific, detailed claims and how much trial time is required to resolve the remaining disputes. The purpose of this process is to focus on exactly which conduct

by MEMIC remains in dispute and to plan a trial which will bring this four-year old case to a conclusion.

The court GRANTS the motion to amend the caption to correct the name of the Killington defendant to “Killington/Pico Ski Resort, Partners, LLC.” (Doc. 54.)

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 9th day of December, 2020.



Geoffrey W. Crawford, Chief Judge
United States District Court